

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_  
AMERICAN INSURANCE COMPANY a/s/o  
MARIAH CAREY,

Case No.: 07-CIV 8604  
(WHP) (AJP)

Plaintiff,

- against -

CORN ASSOCIATES, LLC, THE FRANKLIN TOWER  
CONDOMINIUM, KATZ METAL FABRICATORS, INC.,  
OLYMPIC PLUMBING AND HEATING III CORP.,  
and SAMCO PLUMBING, INC.,

Defendants.  
\_\_\_\_\_

**NOTICE OF  
MOTION FOR  
SUMMARY  
JUDGMENT**

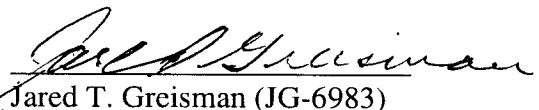
**PLEASE TAKE NOTICE THAT**, upon Franklin Tower Condominium's Rule 56.1 Statement with exhibits, the Affidavit of Frederick Wodin in Support of Defendant's Summary Judgment Motion with exhibits, and Defendants' Memorandum of Law, Defendants, THE FRANKLIN TOWER CONDOMINIUM, will move this Court at the Courthouse located at 500 Pearl Street, New York, New York 10007, pursuant to Scheduling Order Number 2 dated May 16, 2008, for a judgment pursuant to F.R.Civ.P. 56 in favor of Defendants. Opposition and reply papers, if any, shall be served and filed in accordance with the Court's Scheduling Order dated May 16, 2008.

Dated: New York, New York  
June 6, 2008

Respectfully submitted,

WHITE FLEISCHNER & FINO, LLP

By:

  
Jared T. Greisman (JG-6983)

Attorneys for Defendant  
The Franklin Tower Condominium  
61 Broadway - 18th Floor  
New York, New York 10006  
(212) 487-9700  
Our File No.: 179-13150-PAF/JTG

TC: (See Attached Certification of Service)

UNITED STATES DISTRICT COURT  
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AMERICAN INSURANCE COMPANY a/s/o  
MARIAH CAREY,

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CONDOMINIUM, KATZ METAL FABRICATORS, INC.,  
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Defendants.  
\_\_\_\_\_

X

Case No. 07 CIV 8604  
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**CERTIFICATION**

JARED T. GREISMAN, certifies as follows:

On June 6, 2008, I directed service of a copy of the within documents upon all parties to this action via Electronic Court Filing (ECF), along with two courtesy copies which will be, delivered in person to Attorney for Plaintiff, Robert W. Phelan, Esq., Cozen O'Connor, 45 Broadway – 16th Floor, New York, New York 10006 and shipped, via Mercury Business Services, Inc. on June 6, 2008 to Attorney for Co-Defendant Katz Metal Fabricators, Inc., Richard S. Kaye, Esq., Murphy & Higgins, LLP, One Radisson Plaza, New Rochelle, NY 10801. Courtesy copies will be mailed via United States Postal Service, regular mail, to co-defendants: Corn Associates, LLC and Samco Plumbing, Inc.:

- **Franklin Tower's Notice of Motion for Summary Judgment Against American Insurance Company**
- **Franklin Tower's Rule 56.1 Statement with Exhibits**
- **Affidavit of Frederick Wodin in Support of Franklin Tower's Summary Judgment Motion Against American Insurance Company with Exhibits**

▪ **Franklin Tower's Memorandum of Law in in Support of Its Motion for Summary Judgment**

The list of all parties is as follows:

Robert W. Phelan, Esq.  
Cozen O Connor  
(Attorneys for Plaintiff  
AMERICAN INSURANCE  
COMPANY)  
45 Broadway – 16th Floor  
New York, New York 10006  
(212) 509-9400

Richard S. Kaye, Esq.  
Murphy & Higgins, LLP  
(Attorneys for Defendant  
KATZ METAL FABRICATORS,  
INC.)  
One Radisson Plaza  
New Rochelle, NY 10801  
(914) 712-1100

Corn Associates, LLC  
Defendant  
86 Chambers Street, Suite 704  
New York, NY 10007

Samco Plumbing, Inc.  
Defendant  
36-20 13th Street  
Long Island City, NY 11106

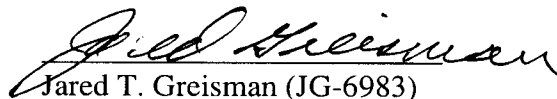
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Yours, etc.,

Respectfully submitted,

WHITE FLEISCHNER & FINO, LLP

By:

  
Jared T. Greisman (JG-6983)

Attorneys for Defendant

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61 Broadway - 18th Floor  
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